

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

PROOF OF CLAIM



02202490050867

In re
Exide Technologies

Case Number
02-11125

YOUR CLAIM IS SCHEDULED AS
\$1 310 02 UNSECURED

NOTE This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.

- Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
- Check box if you have never received any notices from the bankruptcy court in this case.
- Check box if this address differs from the address on the envelope sent to you by the court.

The amounts reflected above constitute your claim as scheduled by the Debtor. If you agree with the amounts set forth herein and have no other claim against the Debtor, you do not need to file this proof of claim EXCEPT as stated below. **If the amounts shown above are listed as Contingent, Unliquidated or Disputed, a proof of claim must be filed.** If you have already filed a proof of claim with the Bankruptcy Court or BMC, you do not need to file again.

Name of Creditor and Address
 02202490050867
 ROBINSON & MCELWEE PLLC
 PO BOX 1791
 CHARLESTON WV 25326-1791

Creditor Telephone Number **304 344-5800**
 CREDITOR TAX ID # **55-0628281**

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR

Check here replaces or amends a previously filed claim dated _____

1 BASIS FOR CLAIM

- Goods sold
- Services performed
- Money loaned
- Personal injury/wrongful death
- Taxes
- Other (describe briefly)
- Retiree benefits as defined in 11 U.S.C. § 1114(a)
- Wages, salaries, and compensation (Fill out below)

Your social security number _____
 Unpaid compensation for services performed from _____ to _____ (date) (date)

2 DATE DEBT WAS INCURRED 6/1/01 **3 IF COURT JUDGMENT, DATE OBTAINED**

4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE
 \$ 2,365.48 (unsecured) \$ -0- (secured) \$ -0- (unsecured priority) \$ 2,365.48 (total)

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below.
 Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

FILED
MAR 21 2003

5 SECURED CLAIM

Check this box if your claim is secured by collateral (including a right of setoff).

Brief description of collateral:

- Real Estate
- Motor Vehicle
- Other _____

Value of collateral \$ _____

Amount of arrearage and other charges at time case filed included in secured claim above, if any \$ _____

6 UNSECURED PRIORITY CLAIM

Check this box if you have an unsecured priority claim.

Specify the priority of the claim:

- Wages, salaries, or commissions (up to \$4,650*) earned before filing of the bankruptcy petition or cessation of the Debtor's business, whichever is earlier. 11 U.S.C. § 507(a)(3)
- Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(4)
- Up to \$2,100 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(6)
- Alimony, maintenance, or support owed to a spouse, former spouse, or child. 11 U.S.C. § 507(a)(7)
- Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8)
- Other. Specify applicable paragraph of 11 U.S.C. § 507(a) _____

Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

7 CREDITS The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.

8 SUPPORTING DOCUMENTS Attach copies of supporting documents such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.

9 DATE-STAMPED COPY To receive an acknowledgment of your claim, please enclose a self-addressed stamped envelope and an additional copy of this proof of claim.

The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES NOT ACCEPTED) so that it is received on or before 4:00 pm, Eastern Time on April 23, 2003.

BY MAIL TO
 Bankruptcy Management Corporation
 P O BOX 1063
 El Segundo CA 90245-1063

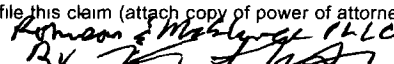
BY HAND OR OVERNIGHT DELIVERY TO
 Bankruptcy Management Corporation
 1330 East Franklin Avenue
 El Segundo CA 90245

THIS SPACE FOR COURT USE ONLY

Exide Technologies

 02215

DATE SIGNED
3/6/03

SIGN and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any).

ROBINSON & MCELWEE PLLC
KENT J. GEORGE, MANAGING MEMBER

Robinson & Mcelwee Pllc

CASE NO 02-11125, Exide Technologies

INVOICE DETAIL REPORT - INVOICES THAT MAKE UP THE SCHEDULED AMOUNT

Robinson & Mcelwee Pllc
PO Box 1791
Charleston WV 25326-1791

SCHEDULED AMOUNT \$1 310 02

SCHEDULE ID 49246

CREDITOR ID 50867

VENDOR CODE JDE 2718500

| <i>INVC NUMBER</i> | <i>INVC AMT</i> | <i>INVC DATE</i> | <i>REF ID NUMBER</i> |
|--------------------|-----------------|------------------|----------------------|
| 901167 | \$1 310 02 | 8/16/2001 | |
| | \$1 310 02 | | |

ROBINSON & McELWEE PLLC

P O BOX 1791

CHARLESTON, West VIRGINIA 25326

TELEPHONE (304) 344 5800

FIN 55 0628281

Page 1
Inv# 908593
Date 10/09/2001
EXIDE
49277 REL

Exide Technologies
Attn Elizabeth W Boswell
Sutherland Asbill & Brennan, LLP
999 Peachtree St , N E
Atlanta, GA 30309-3996

Re Mike Arnett v Exide Technologies,
Advance Auto in the Magistrate Court of
Wayne County, West Virginia
Case No 01C-220

For legal services rendered for the billing period ending 09/30/2001,
including

| DATE | ATTY | DESCRIPTION | HOURS | AMOUNT |
|---------|------|--|-------|-----------|
| 9/05/01 | DRB | Revise declaration for Exide and e-mail to Bill Poff | 50 | 70 00 |
| 9/05/01 | CEA | Telephone call with plaintiff regarding Dismissal Order, e-mail David Bungard regarding same | 20 | 14 00 |
| 9/07/01 | DRB | Call to Judge's office regarding Dismissal Order and letter to Court regarding same | 20 | 28 00 |
| 9/19/01 | DRB | Calls with Ellen Moore regarding finalizing declaration for Exide | 60 | 84 00 |
| 9/19/01 | DRB | Revise declaration and letter to Ellen Moore regarding exhibits and final declaration | 70 | 98 00 |
| | | TOTAL HOURS | 2 20 | |
| | | PROFESSIONAL SERVICES | | \$ 294 00 |

| ATTORNEY | HOURS | RATE | AMOUNT |
|--------------------|-------|--------|--------|
| David R Bungard | 2 00 | 140 00 | 280 00 |
| Carolyn E Atkinson | 20 | 70 00 | 14 00 |

| DATE | COSTS | AMOUNT |
|---------|---|-----------|
| 9/07/01 | Reproduction of Documents, 33 Copies | 8 25 |
| 9/07/01 | Postage, 5 Pieces | 1 70 |
| 9/07/01 | Postage, 1 Pieces | 34 |
| | Telephone | 11 43 |
| 9/19/01 | Reproduction of Documents, 16 Copies | 4 00 |
| 9/19/01 | Reproduction of Documents, 2 Copies | 50 |
| 9/19/01 | Reproduction of Documents, 19 Copies | 4 75 |
| 9/20/01 | Reproduction of Documents, 25 Copies | 6 25 |
| 9/20/01 | Postage, 1 Pieces | 1 26 |
| 9/20/01 | DAVID R BUNGARD Check # - 000093286 | 2 52 |
| | Postage (HC) - Charleston-Postage for Exide | |
| | Mailing on 9/19/01 | |
| 9/24/01 | Reproduction of Documents, 16 Copies | 4 00 |
| 9/24/01 | Postage, 1 Pieces | 34 |
| 9/24/01 | Postage, 3 Pieces | 1 02 |
| | TOTAL COSTS | \$ 46 36 |
| | INVOICE TOTAL | \$ 340 36 |

ROBINSON & McELWEE PLLC

P O BOX 1791

CHARLESTON, West VIRGINIA 25326

TELEPHONE (304) 344 5800

FIN 55 0628281

Page 1
Inv# 901167
Date 07/17/2001
EXIDE
49277 REL

Exide Technologies
Attn Elizabeth W Boswell
Sutherland Asbill & Brennan, LLP
999 Peachtree St , N E
Atlanta, GA 30309-3996

Re Mike Arnett v Exide Technologies,
Advance Auto in the Magistrate Court of
Wayne County, West Virginia
Case No 01C-220

For legal services rendered for the billing period ending 06/30/2001,
including

| DATE | ATTY | DESCRIPTION | HOURS | AMOUNT |
|---------|------|---|-------|--------|
| 6/01/01 | DRB | Draft Settlement and Release, and Dismissal Order | 40 | 56 00 |
| 6/11/01 | DRB | Telephone call to Advance Auto's counsel to inquire on finalizing settlement with Arnetts | 20 | 28 00 |
| 6/15/01 | DRB | Draft reminder letter to Advance Auto counsel regarding settlement proposal | 20 | 28 00 |
| 6/15/01 | DRB | Draft litigation quarterly update form for Liza Boswell | 30 | 42 00 |
| 6/21/01 | DRB | Telephone call with Exide regarding answer to Advance Auto's cross-claim | 20 | 28 00 |
| 6/21/01 | DRB | E-mail to Liza Boswell regarding any demand from Advance | 10 | 14 00 |
| 6/25/01 | DRB | E-mail to Liza Boswell regarding case status and check discovery deadlines | 20 | 28 00 |

| | | | | |
|---------|-----|---|------|--------|
| 6/26/01 | DRB | Telephone call with Holly Pritchard regarding settlement | 20 | 28 00 |
| 6/26/01 | DRB | Telephone call to plaintiff's regarding settlement check | 20 | 28 00 |
| 6/26/01 | DRB | Telephone call with Holly Pritchard and Bill Poff regarding Roanoke suit and Advance Auto | 40 | 56 00 |
| 6/26/01 | DRB | Draft settlement and release agreement | 30 | 42 00 |
| 6/27/01 | DRB | Continue draft of settlement and release agreement | 60 | 84 00 |
| 6/27/01 | DRB | Draft Dismissal Order | 20 | 28 00 |
| 6/27/01 | DRB | E-mail to Holly Pritchard regarding assignment option and settlement | 20 | 28 00 |
| 6/27/01 | DRB | Draft settlement and assignment agreement | 1 00 | 140 00 |
| 6/28/01 | DRB | Telephone calls with Holly Pritchard regarding release with Exide | 50 | 70 00 |
| 6/28/01 | DRB | Research regarding presenting express indemnity claims after obtaining release from plaintiffs | 40 | 56 00 |
| 6/28/01 | DRB | Draft Notice letter to J H Mahaney regarding settlement | 30 | 42 00 |
| 6/28/01 | DRB | Telephone call to Arnetts regarding release and terms of settlement | 20 | 28 00 |
| 6/28/01 | DRB | E-mails to Holly Pritchard regarding proposed changes | 40 | 56 00 |
| 6/28/01 | DRB | Revise all documents pertaining to Arnett settlement and proof | 40 | 56 00 |
| 6/28/01 | CEA | Telephone conference with Wayne County Circuit Clerk's Office regarding Notary for settlement documents | 20 | 14 00 |
| 6/29/01 | DRB | Telephone call with Holly Pritchard regarding finalizing settlement documents | 20 | 28 00 |

| | | | | |
|---------|-----|--|------|-------|
| 6/29/01 | DRB | E-mails to Holly Pritchard regarding finalizing settlement | 40 | 56 00 |
| 6/29/01 | CEA | Conference with David Bungard regarding settlement | 20 | 14 00 |
| 6/29/01 | CEA | Return to Charleston | 1 00 | 70 00 |
| 6/29/01 | CEA | Meet with Arnetts and have Release notarized | 50 | 35 00 |
| 6/29/01 | CEA | Travel to Huntington for settlement meeting | 1 00 | 70 00 |
| 6/29/01 | CEA | Telephone conferences with Mr & Mrs Arnett regarding settlement and change in meeting time | 30 | 21 00 |

TOTAL HOURS 10 70

PROFESSIONAL SERVICES \$ 1,274 00

| ATTORNEY | HOURS | RATE | AMOUNT |
|--------------------|-------|--------|----------|
| David R Bungard | 7 50 | 140 00 | 1,050 00 |
| Carolyn E Atkinson | 3 20 | 70 00 | 224 00 |

| DATE | COSTS | AMOUNT |
|---------|-------------------------------------|--------|
| 6/15/01 | Reproduction of Documents 4 COPIES | 1 00 |
| 6/15/01 | Postage 1 PIECE | 34 |
| 6/15/01 | Postage 1 PIECE | 34 |
| 6/15/01 | Postage 1 PIECE | 34 |
| 6/26/01 | Reproduction of Documents 3 COPIES | 75 |
| 6/28/01 | Reproduction of Documents 1 COPIES | 25 |
| | Telephone | 12 08 |
| 6/29/01 | Reproduction of Documents 11 COPIES | 2 75 |
| 6/29/01 | Reproduction of Documents 6 COPIES | 1 50 |
| 6/29/01 | Reproduction of Documents 56 COPIES | 14 00 |
| 6/29/01 | Postage 1 PIECE | 1 02 |
| 6/29/01 | Postage 1 PIECE | 55 |
| 6/29/01 | Postage 1 PIECE | 1 10 |

Page 4
Inv# 901167
Date 07/17/2001
EXIDE
49277 REL

TOTAL COSTS

\$ 36 02

INVOICE TOTAL

\$ 1,310 02

ROBINSON & McELWEE PLLC

P O BOX 1791

CHARLESTON, West VIRGINIA 25326

TELEPHONE (304) 344 5800

FIN 55 0628281

Page 1
Inv# 905937
Date 09/13/2001
EXIDE
49277 REL

Exide Technologies
Attn Elizabeth W Boswell
Sutherland Asbill & Brennan, LLP
999 Peachtree St , N E
Atlanta, GA 30309-3996

Re Mike Arnett v Exide Technologies,
Advance Auto in the Magistrate Court of
Wayne County, West Virginia
Case No 01C-220

For legal services rendered for the billing period ending 08/31/2001,
including

| DATE | ATTY | DESCRIPTION | HOURS | AMOUNT |
|---------|------|--|-------|--------|
| 7/12/01 | DRB | Review Advance Auto, letter regarding objections to proposed Dismissal Order | 20 | 28 00 |
| 7/13/01 | DRB | Telephone call with Holly Pritchard regarding revising dismissal order | 20 | 28 00 |
| 7/18/01 | DRB | E-mail to Holly Pritchard regarding upcoming deadlines | 20 | 28 00 |
| 7/31/01 | DRB | Call with Holly Pritchard regarding case status | 30 | 42 00 |
| 7/31/01 | DRB | Research regarding dismissal of implied indemnity claim once settlement has occurred | 70 | 98 00 |
| 8/06/01 | DRB | Call with Ellen Moore (Woods Rogers) regarding case status | 50 | 70 00 |
| 8/10/01 | DRB | Gather materials to send to Ellen Moore regarding case | 20 | 28 00 |

| | | | |
|-------------|--|----|--------|
| 8/10/01 DRB | Call with Holly Pritchard regarding setting instructions | 20 | 28 00 |
| 8/15/01 DRB | Call with Advance Auto's counsel regarding resolving indemnity cross-claim | 20 | 28 00 |
| 8/15/01 DRB | Revise Dismissal Order and e-mail same to Holly Pritchard | 20 | 28 00 |
| 8/20/01 DRB | Call to Mike Arnet regarding Order setting trial date | 20 | 28 00 |
| 8/27/01 DRB | E-mail to Advance Auto counsel regarding dismissal order | 10 | 14 00 |
| 8/30/01 DRB | Call with Advance Auto's counsel regarding entry of dismissal order and e-mail to Holly Pritchard regarding same | 20 | 28 00 |
| 8/31/01 DRB | Revise declaration sent by Ellen Moore | 80 | 112 00 |
| 8/31/01 CEA | Letter to Mike Arnett with Dismissal Order | 20 | 14 00 |

TOTAL HOURS 4 40

PROFESSIONAL SERVICES \$ 602 00

| ATTORNEY | HOURS | RATE | AMOUNT |
|--------------------|-------|--------|--------|
| David R Bungard | 4 20 | 140 00 | 588 00 |
| Carolyn E Atkinson | 20 | 70 00 | 14 00 |

| DATE | COSTS | AMOUNT |
|---------|--|---------------|
| 6/29/01 | CAROLYN E ATKINSON Check # - 000092008 Travel-Charleston-Mileage Huntington for Settlement | 35 71 |
| 7/13/01 | Lexis (Legal Research) PETTY CASH Check # - 000092095 Travel-Charleston-Parking Huntington/CEA | 24 76 3 00 |
| 7/20/01 | Reproduction of Documents, 3 Copies | 75 |
| 7/20/01 | Postage, 2 Pieces | 68 |

Page 3
Inv# 905937
Date 09/13/2001
EXIDE
49277 REL

| | | |
|---------|--------------------------------------|-------|
| 7/31/01 | Reproduction of Documents, 8 Copies | 2 00 |
| 8/01/01 | Reproduction of Documents, 6 Copies | 1 50 |
| 8/10/01 | Reproduction of Documents, 13 Copies | 3 25 |
| | Lexis (Computer Legal Research) | 23 03 |
| 8/16/01 | Reproduction of Documents, 23 Copies | 5 75 |
| 8/16/01 | Postage, 3 Pieces | 1 02 |
| | Telephone | 6 65 |
| 8/31/01 | Reproduction of Documents, 3 Copies | 75 |
| 8/31/01 | Reproduction of Documents, 12 Copies | 3 00 |
| 8/31/01 | Postage, 1 Pieces | 57 |
| 8/31/01 | Postage, 2 Pieces | 68 |

TOTAL COSTS \$ 113 10

INVOICE TOTAL \$ 715 10